Adopted Recommendations

Study on the Powers and Duties of the Office of the Children's Ombudsman as Related to Justice-Involved Youth

Recommendation 1: Amend Chapter 4.4 (§ 2.2-438 et seq.) of Title 2.2 of the *Code of Virginia* to extend the powers and duties of the Office of the Children's Ombudsman (OCO) to include committed juveniles in the secure confinement facility operated by the Department of Juvenile Justice (DJJ).

Provisions of the legislation will include that any individual with a legitimate interest may submit a general complaint to the Ombudsman. The Ombudsman has the sole discretion and authority to determine if a complaint falls within the Office's purview. Juveniles in the secure confinement facility may file a complaint directly with the Ombudsman without utilizing the facility's administrative process. The Office of the Children's Ombudsman may include recommendations related to the juvenile justice system in annual reports to the Governor, the Director of the Department of Juvenile Justice, and the General Assembly on the office's activities and recommendations for legislation or revisions to rules or policies.

Introduce an enactment clause to direct the OCO and DJJ to develop a comprehensive plan and to determine the resources needed to extend the powers and duties of the OCO to committed youth held in community placement programs at local juvenile detention centers. OCO and the DJJ shall report their findings and recommendations to the Commission on Youth by November 1, 2027.

Introduce an enactment clause to direct the OCO, DJJ, and locally operated juvenile detention centers to develop a comprehensive plan and to determine the resources needed to extend the powers and duties of the OCO to youth held in juvenile detention centers. OCO, DJJ, and stakeholders from juvenile detention centers shall report their findings and recommendations to the Commission on Youth by November 1, 2027.

Recommendation 2: Amend the *Code of Virginia* §16.1-300(A) to explicitly grant the Office of the Children's Ombudsman access to confidential records of the Department of Juvenile Justice. Direct the Board of Juvenile Justice to adopt regulations ensuring Office of the Children's Ombudsman physical access to secure confinement facilities operated by the Department of Juvenile Justice.

Recommendation 3: Direct the Department of Juvenile Justice to notify the Office of the Children's Ombudsman within 24 hours of all serious incident reports, as defined in Department of Juvenile Justice regulations.

Recommendation 4: Introduce a budget amendment to Item 44 of the Appropriation Act to increase staffing for the Office of the Children's Ombudsman to support additional analytical and investigative responsibilities of the office related to juveniles in secure confinement facilities operated by the Department of Juvenile Justice.

Recommendation 5: Direct the Department of Juvenile Justice (DJJ) and the Office of the Children's Ombudsman (OCO) to develop a comprehensive plan and determine the resources needed to extend the powers and duties of the Ombudsman to include residents in group homes certified by DJJ. DJJ and the OCO shall report their findings and recommendations to the Commission on Youth, the chairs of the House Committee on Public Safety, the Senate Committee on Rehabilitation and Social Services, the House Appropriations Committee, and the Senate Finance and Appropriations Committee by November 1, 2027.

Recommendation 6: Direct the Office of the Children's Ombudsman (OCO) and the Department of Behavioral Health and Developmental Services (DBHDS) to develop a comprehensive plan and determine the resources needed to extend the powers and duties of the Ombudsman to include children in residential facilities licensed by DBHDS. The OCO and DBHDS shall report their findings and recommendations to the Commission on Youth, the chairs of the House Committee on Health and Human Services, the Senate Committee on Rehabilitation and Social Services, the House Appropriations Committee, and the Senate Finance and Appropriations Committee by November 1, 2027.